

## City Council Work Session Transcript – 8/21/2018

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>> I think it really depends on individual elements of this three-acre site. As you recall we talked about the discussions around a partnership that could emerge with some partners that are already working in the area, like the trail foundation, and all of the work we do with the Austin parks foundation. So if there's -- if it's a relatively sort of minor element, like a rain garden, that might have one type after process. If we're talking about a partnership that would involve the building itself, the Seaholm intake building, in terms of a final approval, if there was a partnership associated with that development, that would involve a partnership agreement that would come back before council. Does that answer your question? Or you were specific about the design as opposed to the programming? >> I think I'm really thinking more about the design of the programming. One of the elements that I remember from the first presentation and from reviewing it afterward that captured my attention is that there's clearly an intention to have this facility and the programming serve all ages, but there's not specific -- we really don't, as you said, we're really not approving a plan on Thursday. We don't really have a report or a plan or concrete design. And it's -- I really want to assure that this project as it moves forward will be for all ages and will be designed and programmed in a way that jibes with our council adopted resolutions and all of our responsibilities in all of our exterior public places. While there were several I think in the concept you presented that was part of the ethos, because there's no hard and fast and concrete language about that being an intentional goal of what's to come. >> Our plan is to make sure that this space meets the needs of all ages,

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absolutely. And it's -- I think it's just a little ambiguous at the moment because we're really only in that first step of studying what this best use is. And I think what we all agreed to is that it does need to work for all trail and parkland users and citizens of all ages. And so as we start to work through how we proceed and how we actually design and develop it, we'd be coming back to show you our more concrete plans as we move forward. But making sure that we integrate A.D.A. Accessibility in everything we do and usage for children. Part of our plan as we've talked throughout is where could we include playgrounds, but where are there restrictions for that, but how could we create a lawn space that's usable for families who want to spend their day at the park. How could we design the facility for

children's camps, that's a big part of the conversation. So we're definitely trying to make sure that we integrate all ages. We're just at this moment which I understand your question because we have some of the same questions. Right now we know that we have conducted this study and we know what the public wants and we've gotten their input and we have a sense of best use. We have to now start moving forward into those concrete pieces. And as we would do that we would make sure we came back to this group and got input and support as we move forward. >> Tovo: And would it be input and support by way after vote? >> I think that the way we would typically do -- we would have a proposal from a partner for it was to become a partnership with respect to the building and that would work through our office and work through the legal staff and then not unlike republic square, for example, where you had a partnership agreement. As you know, we work on quite a few of those with partners who want to take a stronger role in operating,

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maintaining and programming our park spaces. I did want to add that the task force for children and families report, which was a really important study that was support bid this council, quite a few years ago was a foundational document for our study. Something that we are cognizant of as a parks department is that as wonderful as our downtown is, it's not necessarily one of -- it doesn't have a lot of amenities for children and families. The thinkerry moved Mueller a few years ago, or Mueller, as newcomers call T and there's been partnerships with the library and we've been talking with the library about how to have a stronger partnership there. If any -- if the parks department is actively programming this space and it's only the parks department, that's what we do. We programmed spaces for children, families, seniors, everyday. If we partnership with other entity our job is to preserve the public benefit in that partnership and to ensure that everything we would do would also happen through that partnership. And that partnership agreement would be something that would come back before council at a future date. >> Tovo: [Inaudible] A little bit about whether this is the right opportunity before Thursday to embed some of that language into what we're approving because we're approving phased recommendations. So I think if there is an intention to make sure that there are family friendly -- that it's designed and programmed in a way that is family friendly. I think it might be helpful to have some of that language embedded. And I actually brought my copy and that was the families and children report was part of -- part of why I raised this issue today. I actually served on that task force long, long ago in 2008, and the couple of

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recommendations that I think are relevant you alluded to, one is to incorporate play features in public spaces, innovative child friendly spaces in all large outdoor spaces, including at the Seaholm redevelopment project, so it search and rescue specifically always out this area, although it was specifically talking about the across the street as well. And the next recommendation is too relevant, incorporate play features in downtown spaces, anything in any newly redeveloped park sites and public

squares. And then there's more language and representations along those lines, but I think it does take intentionally to create and design spaces and it seems like we're really enough in the project where I want to making sure that's going to be a critical and guiding component. >> Given the time associated when we may be able to come back with a partnership agreement, I think it would be appropriate and welcome to have some of your thoughts about how children and families need to be integrated into the future of this space. So we would welcome the council's thoughts on that. >> Tovo: Thank you. Any other questions on this item? >> Garza: I don't have any questions, but I want to thank you for bringing this issue up. >> Tovo: Thank you. Councilmember alter. >> Alter: I just want to clarify what -- again, what we are approving on Thursday. >> The phased recommendation. >> Alter: Right, it's the phased recommendation. Just the study that if we want the support of the council knowing that this is where we are and support us moving forward with these recommendations with the work that we plan to do for phase 1 on working on some of the infrastructure of the building to get it safe and clean so that we can activate it and start getting people into it as we move through the process of figuring out how this partnership agreement works what happened it looks like. I think I mentioned last time we were here that we've engaged a firm to give us some kind of a cost estimate of what this end result might look like and be so that the trail foundation, the parks foundation, and any other partners that we consider bringing into this

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have a sense of really what we're getting into and how the best way to achieve that is with philanthropic efforts in place to support it and fund it. And so right now we're just asking for kind of basic support from the council that you like the study results, that you like the fact that we're working together, that the idea that we could continue this conversation as a potential partnership is supported by the council. And knowing that any agreement and any concrete work we would do would come back. >> Alter: Thank you. I think this is very exciting and I appreciate mayor pro tem's emphasis on the family friendly. I just wanted to add a little bit of clarity for the public as to where we are in the process. So we've taken a step to have a sense of where we're going and there are certain things have to happen -- certain things that have to happen first before anything else can happen. And as those evolve they can come back to council at the different phases at the appropriate time for moving forward with the partnership. >> And I will just add a tiny bit of color that this entire project is littered by mothers who barely got here because of carpool. [Laughter]. So we are always thinking about how we integrate families and children into -- it's true. You should have seen our texts this morning. I'm on my way! So it's a very important piece of it and I think we're all open to making that more real in what is supported by the council. >> We appreciate you being here. >> Tovo: Thank you. I can empathize. We had one late bus in our family today. Councilmember Houston. >> Houston: Great work. I wanted to ask about the philanthropic. They won't have naming rights? Because I always want that to be Seaholm. And I just need to be clear that that's not something that I would support. >> That would be a council decision, not our decision at all. >> Houston: So council, I

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may not be here, probably won't be, but we don't need to have naming rights on Seaholm. That's part of the history. If I give you \$15 million to do something, I want my name someplace. I'm just saying it should not be there. >> Tovo: I have two somewhat quick questions about the design. I apologize that I forgot my presentation upstairs and I'm forgetting the name of it. But there was something described, I think it was the power structure or the power tower or something like that that I saw in your renderings. Would you mind explaining what that is? >> Beth can probably do that best. >> It was really just the concept of bringing some of the history of the site, the power generation of the building, bringing some interpretive history. And so the power tower that is currently there is in the middle of everything, so bringing some art to it, bringing a little bit more interpretive history to it. It's a very high level concept at this point. There would be a lot of coordination that would need to happen before we move forward on it. >> Tovo: Okay. And so in approving the rca for Thursday we're not necessarily approving that particular design of the power tower. >> No, not at all. >> Tovo: Thank you. And in terms of the buses -- the buses. Buses still on the brain. Boats coming and going. Are they going to be docking right in front of -- what is your decision about where they would be docking? Would it be still to be determined? >> That's yet to be determined as well because we need to make sure we have space for how we integrate the folks coming up on boats, the walkers, the runners and potential cyclists. And what's the safest way to do that. So we may need to end up needing to focus some users into certain areas. So certain water access points for folks coming from the water's edge. Some of the renderings show it as kind of a free for all, but I don't know that that's necessarily

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realistic. >> Tovo: And I think that's what -- one of the drivers of that question. One of the things that is so capturing about that building is the way that it appears on the lake. So I hope there will be really some thought given to how to make sure that's striking vision is still there while you of course accommodate a lot of public uses and make room for those things. But it sounds like you're already working towards that. Great. Any questions? Okay. Thank you so much. >> Thank you. >> Tovo: Let's see. We are going to go to -- I think that we should go -- should not go to 77 because that's the item the mayor sponsored. We got a request to pull 68, 69, 70. Why don't we go to 68 next. Jerry, I think you're also here for 65. >> Whatever you would like me to be here for. >> Tovo: We were working with some different arrangements that had been suggested, but we'll start with 65 then and move on to 68. 65 is an item that you pulled, councilmember Flannigan. Tech ridge? >> Flannigan: So I pulled this because I just wanted to get a sense from my colleagues about this convenience storage use. And something that we talked about a few months ago, especially as it relates to areas near transit and not wanting to have this be a use and walkable areas. Time not saying this is a walkable area, but just as an example of something that we should consider. And also the question of why convenience storage is only allowed in the cs zoning, which then requires this very complicated -- likes

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puts cs and strips everything else out of the cs process. My question isn't so much about it on this site, but more broadly if it's something that people are wanting to look into addressing, I would be willing to work on that. And there's another item on the agenda where we're adding administrative uses into D.M.U. It's either this week or next week. So if we're going to go through this process of reassessing what Zones have what uses, then it's something that I would be willing to work on and it might be just as a brainstorming idea, it might be putting convenience storage in gr and then assigning a restriction on that use that it not be within so many quarter miles after transit stop or some other policy guideline that could say we want to allow convenience storage in other areas clearly helps make a project pencil out, while else would they put it in this little corner of an otherwise walkable development where they're doing what they're saying is kind of like a we work through situation? But if nobody cares about it, then I will let it go. But I thought this was a good opportunity to consider relooking at how we do convenience storage and not just allowing it in cs, but then putting other rules around where we would do convenience storage. >> Councilmember, if I may for a moment we did attempt to do that in the past and of course with the most recent attempt at a code rewrite which I won't say the name of. But we did a few years ago, quite a few years ago now, create a new category called wlo for warehouse light office. Bettie baker was actually the lead on that at the time. I believe that category is not frequently used those days because it has rather severe sight restrictions, specifically the height of 25 feet. It was for the old style storage where it was a single layer of Orange door places and now we tend to see two or three story

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self-storage places. Another way to be to have a code amendment to alter the sight wrecks in wlo and then I think it would be used more often, which is what it was intended for. >> Flannigan: I don't have a solution in mind, but if someone wanted to work on it. This is more of me going off on a lark on my own. But if nobody cares, nobody cares. I get that. >> Tovo: Councilmember Flannigan, can you summarize for us what -- I think that's an interesting point, but your suggestion was to try to come up with some other solution so it doesn't have to be zoned in cs and then everything else drift out? Find its own category? >> Flannigan: And then have an opportunity to explore how we would take a use and restrict it otherwise. So if we were to apply this use into a different zoning category, but then at the same time say but we also don't want this in areas that are walkable from a transit stop because we've had that conversation kind of in a roundabout way. So it might be an opportunity to write a code amendment that allowed us to allow a use generally in a category, but then apply a different set of restrictions so we could have more of a policy on where we would to see these uses other than just the Zones themselves. >> Tovo: Interesting. Maybe we could do some sort of conditional overlay. [Laughter] Just kidding. >> Flannigan: I think that's what's happening here, mayor pro tem. But to be in a way that's more broad. >> Tovo: It was really a joke. >> Flannigan: I know it's a joke, but you set me up and then I have to answer it. >> Tovo: We'll let the mayor get settled, but councilmember troxclair a comment? >> Troxclair: Councilmember Flannigan, I'm happy to have you work on it. [Laughter]. Happy to support you on that. >> Flannigan: So I have four months, I think, councilmember? >> Troxclair: Yeah. >> Flannigan: Got it. >>

Tovo: Councilmember Garza. Mayor, do you want to -- as far as. >> Garza: I think it's a good idea and I'm happy to

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work with you on that too. >> Tovo: So mayor, I'll turn the chair over to you, but I wanted to let you know that councilmember has pulled 68, 69 and 70 in addition to the items that we have on there. I think 68 would be the next. So we're up to 68. >> Mayor Adler: We'll do the noticed first and then the late adds. That's our practice. What about item 77. You pulled that? Jimmy? >> Flannigan: Yeah. So I had just a couple of small questions. One is the date in the posting language. So with the come back to council with the recommendations by February 15 2019 in the posting language means that we cannot change that or otherwise alter that date on Thursday? >> You can change the date. >> Flannigan: So the fact of the dates in the posting language doesn't mean we can't change the date? >> You can change the date. >> Flannigan: I didn't remember seeing that in the posting language in the past so that was my question. And more generally, it's my understanding that neighborhood housing is asking for this direction, but I don't know why it's coming in the form of an ifc. This is something that the blueprint said needed to happen. And we approved that. >> Mayor Adler: It's doing a couple of things. First is it's asking for the recalibration because we know with the market study it's off. The second thing it's asking to do is take all the places that we have these calibrations set in ordinances and to pull them out of being embedded in the ordinances so that on an annual basis we could adopt as part of the budget process whatever the recalibration is without having to change the -- do an ordinance change every time, which requires it to go back through the system. >> Oh, I see. >> Mayor Adler: So is also pulls it into one place to

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sewable to make those changes. >> Flannigan: That is the part I missed is the triggering processes around the ordinances. That is the streamline part we get to. >> Mayor Adler: Correct. Yes, Alison. >> Alter: Thank you. I'm a co-sponsor on this, but I had a question. I'm not sure if this is for Jerry or another staff member. But I wanted to clarify what action iffy in this process -- in this process for our tod's or our downtown density programs. I know we needed to get to a more calibrated system that reflects a truer cost but I know we're not there and very far below that is my impression. Is there an interim step that we can take before we get to this? >> The myriad of programs actually have something built in that says they will be updated by the consumer price index although we're not certain that's the right way to do that. Others would require an updated resolution. So as of now the density bonus fees are not in the fee schedule. So it's -- they are updated through another process. >> What I would add is that although the word fee is used, as stated they're not in the fee schedule of the budget, they're actually in the code. And as stated, sometimes they do self adjust, sometimes they do not, but it's not really a budget item, it's more of a code issue. >> Alter: Is there a way to do an interim step to adjust those fees before we get the full study back as an interim step?

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Without having the full study done because we know they're too low. >> I mean, I would think that you would want the analysis completed to change the fees. It seems like it would be potentially arbitrary to do it without the study. We're actually checking to see if some of this may have already been completed as part of the codenext process because it was intended to be completed. But I'm not sure where we are and we're currently investigating kind of how far along they are in that process. >> Alter: My concern is getting this done faster and sooner because we are getting the funds when folks choose to do fee-in-lieu in a we need to support our affordable housing. So I would be supportive if we can get this done before February. And if we can't I would love to know if you find another way that we can make an interim step. We know they're too low. >> Mayor Adler: And I would note that the date in here is a by date. So if we could get the work done and bring it back to us as quickly as we can to get it done. Any further questions on this item? Let's go to item 82. Jimmy, pulled this one as well, item 82? >> Pool: I did have a question on 77. >> Mayor Adler: I'm sorry, Leslie. >> Pool: Mayor pro tem, the resolution that you passed to us from October of February, I think you handed it out relating to this, and I'm looking at the last be it further resolved where we talk about adjusting the the fee table to recalibrate. I thought I would just ask staff and of course you probably want to talk about this, but I wanted to find

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out from staff how that recalibration has gone. >> So are you talking about number one under the be it further resolved? >> Pool: No. I'm talking about the last be it further resolved, recognizing an imbalance in development of downtown properties. >> Mayor Adler: This is the ordinance that was passed in 2015, I think, that councilmember pool is pulling in. Popped R. >> Pool:-- >> Pool: And maybe the mayor pro tem can speak to the item. She had led on it. >> Tovo: It's referenced in the resolution and I've distributed copies of it since it was referenced. And it resulted in this pretty thorough report that talked about and compared the differences among the different programs. And I too, beyond the report, am struggling to determine why we didn't recalibrate at the time. I think that's -- so it seems like there is a need for additional direction, but I don't know if this is the question that you had, councilmember pool, about why that direction since we did ask for that recalibration to happen, why it didn't happen as part of this really extensive report that you've produced in response to the resolution that I sponsored that the council passed. I don't know -- I don't want to -- I don't know what your question was. >> Pool: That's it. >> So again, actually all of this was going to be wrapped into codenext because there are a variety of changes that were all related. And as you may know going through code amendments for one particular item is time consuming. I don't know if we're going to go through it for multiple related items, we wanted to be able to do it at one time. >> Mayor Adler: So against that background, recognizing that it was caught up into the process we're using to revise the land development

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code and recognizing that we've asked the manager to take a look and evaluate that process and figure out how to go next, the reason we moved this forward is we didn't want this aspect of it to be held up while this process was going on because this needs to happen so this is pulling that out of that and saying please take a look at this and move this part forward. Leslie. >> Pool: And that's great, it's just that I don't remember being told that that was going to wait for codenext. So again, I didn't -- it's not my item. I'm not a co-sponsor on it and I didn't think to pull this and bring down. It was agenda item 38 from October 15th, 2015, but I would like to know whatever happened to that work and if it was held up were we notified and did we agree to that? >> >> Mayor Adler: I think it was held up. We had the report that the mayor pro tem raised and then it was being rolled out to us in the context of a larger land development code rewrite. >> Pool: And that is -- I don't remember being told that. I don't remember hearing that. And the fee-in-lieu piece could probably have continued forward because it goes to the cost of development and we've been talking for a long time, not just this council, but previous councils, but making development pay for itself. And here is an instance if I'm reading this properly, where the work was done, but then it was held back. And it seems like since we had asked for it specifically, we would have had some official action that said yes, let's hold it back. That's all I'm asking, did we actually say let's hold it back? Because I don't actually remember, but it was almost three years ago. >> So the work has not been -- the calibration has not been completed. I know that for certain. That was going to be calibrated as part of codenext because we wanted to make sure to use all of the most up to date information to make sure

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that the fees were most consistent with what was happening in the development cycle at that time. So the calibration has not been completed, but because we were waiting for close to the end of codenext. Now that codenext is not moving forward, we absolutely think it's a good idea to move forward to recalibrate the fees that are already in place and we know need to be updated. >> Mayor Adler: Okay. Yes, Ms. Houston. >> Houston: Thank you. And I think it's important to know that even if the fees were calibrated on the development between 2015 and 2018, we would have received a lot of money, additional money if they had been recalibrated. It's imperative that we get this, we don't wait for a listening time because we've already lost money. And I didn't see the two connected either, but I do know that two dollars a square foot is not an appropriate fee-in-lieu of when we're talking about downtown density bonuses. So we've already lost money, so as fast as that can be done I would appreciate it. >> Mayor Adler: Okay. Yes, Alison? >> Alter: I just wanted to ask if staff could maybe circulate that report. I don't know if I've seen it. I would love to see it before Thursday if possible. >> Sure. >> Mayor Adler: Mayor pro tem F. >> Tovo: I think it would be great to have it as backup for the item, the original resolution as well as the response. >> Mayor Adler: And remember too there's a second aspect of this that also is asking for a different way for us to set, where we set the fees in lieu and other payments so that we can change it



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without changing multiple ordinances in multiple different places in our work. Anything else to this before we move on? Okay. Jimmy, do you want to take the next item? >> Flannigan: Yes. So I just want to start by thanking everyone for allowing me to have an extra two weeks to work on this. And I had an opportunity to meet with one of the leaders from the homeowner's association from north shoal creek and with staff. So there's just a couple of things that I kind of want to get a sense from you all how much of this we want to dig into. First is the planning commission amendments which talk about applying ads, changes to Steck and some connectivity language. I don't know how critical those amendments are. And then I have two other things that as I was going through it I found some inconsistencies. They list the policies in two places in the plan. In the narrative part of the document and then in an appendix. And there are places where they don't match, where they use one term in the front and different term in the back. And the main one is the phrase "Building height step-become backs," which is used in some places. And lower building heights which is used in other places. And when I talked to staff and the neighborhood folks they all agreed this was in regard to compatibility step backs. So I would like to use the phrase building height step backs so that it's clear when talking about building rules as we've become used to. And there are a couple other language issues that kind of don't match or not necessarily clear and I don't know if they're worth fixing or not. My staff is still working through that. And the other policy change that I would like to suggest is there's a policy in the document that says retain single-family houses as the most dominant building type.

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And it's referring to the residential interior of the neighborhood. And I would just like to change that to residential house scale instead of saying single-family houses. And the neighborhood already has areas of duplexes and tri plexes so I think it's better to be clearer that as the neighborhood grows or in the future we are talking about two-story buildings and things that look like houses, but we're more flexible on missing middle being duplexes and tri plexes as well as they still look like houses, which in many of the neighborhoods in all of our district we've seen that and that's the kind of duplex I live in in my neighborhood, looks just like the single-family homes that frankly I couldn't afford to live in in the rest of the neighborhood but I can afford my duplex. So I wanted to get a sense from you all, I'm going to bring those amendments on Thursday. Specifically fixing the building height step backs mismatch of language. And then I would like to change the residential house scale language. >> Mayor Adler: Leslie. >> Pool: We haven't had the public hearing on this yet so I was hoping we could hold on discussing this item until we go through the process. People will be here on Thursday. You remember this was on the agenda for June 28th and we pushed it to this Thursday in light of the over 100 items that we had on the agenda that day. And so the neighbors who had come down and waited were willing to go home. And they'll be back on Thursday. But maybe staff could respond to the questions. >> Mayor Adler: Anybody else want to comment? Delia? >> I'm sorry. You have something. >> Sorry about that. Yes, in terms of the language

changes, step backs versus just saying lower building heights, yeah, we would be able to fix that language if that amendment goes through.

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In terms of residential house scale, and not saying the single-family homes should be the most dominant building type. I know that the language in the plan was vetted by the stakeholders through open houses and surveys. So I'm sure they would want an opportunity to weigh in on that. >> Flannigan: And that's why I'm bringing it up today so that the community knows what's in my head before they come to the public hearing and not waiting until after everybody has spoken before I throw out other ideas. So more so less a conversation with staff, but this being our one opportunity before Thursday to talk as a council just to get a sense of people feel like it's a conversation worth having. >> Mayor Adler: Alison? >> Alter: I would appreciate it, Mr. Flannigan, if you could post anything, so that the community that spent so many hours working on this is very aware of what you have in mind and we can minimize any anxiety over what you're proposing so that they can be very clear and that the rest of us have an opportunity to really digest what you're thinking about. I think it's -- they spent a lot of hours on this and they've thought very carefully, worked closely with staff, and so if we're going to do 11th hour changes we need to provide them an opportunity to really digest it. So I appreciate you flagging it in advance, but I think sometimes it's really helpful for people to really see what the proposed changes are beforehand. >> Flannigan: And councilmember, I'm happy to do that and we will get those posted on the message board, but I do want to push back on your characterization as 11th hour changes. This is the time where the council gets to weigh in. This is when we get to do it. I don't live in the neighborhood, but I have to make decisions for the whole city. So I don't think this is 11th hour. I think this is the time when the council makes its

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decisions. >> Casar: I do appreciate this being brought up during work session and I don't know when else these things could have been brought up. So I appreciate them being brought up now. I do think looking at the neighborhood plan and looking at the neighborhood that single-family homes will likely for an extended period of time remain the dominant housing type in that neighborhood. But I do think that the kind of language you've described, I would be interested in looking at it and reading it. And I think helping folks understand that redevelopment that does happen, that having house scale missing middle housing is a good thing in all of our neighborhoods and something that we are striving towards as a city sing a good thing for us to generally signal and a good thing for -- it's something that I would want to see through any of our small area planning or neighborhood planning processes. So I'd be supportive of language that signals that, but of course, you know, we'll be interested to see what folks' testimony is and still have a full public hearing and work together with my colleagues to figure out how we land on that point, which is one, recognizing the reality that single-family homes are going to be the dominant housing type in the interior of that neighborhood for an extended period of time, but that the

city is tending towards trying to have some of these more affordable housing types that are still house scale across our city. So thanks for bringing it up. >> Mayor Adler: Yes. >> Garza: Yes, I would agree. I have never been a fan of any kind of exclusionary language, and I believe that saying that single-family housing is dominant is very exclusionary. Not everybody can afford a single-family house in many parts of this city. So I would be supportive of -- abuse it's in the same spirit -- because it's in the same spirit of this

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concern for facades, I guess, more than other pressing issues, but if it's about what it looks like but the fact that it could be a duplex or a four-plex really inside, and we've seen many examples of that that from the outside it can look like just a house, but it's actually -- has a college student and a single mom and, you know, a service worker in there. I would be very supportive of language that gives that kind of an impression in this -- in this document. And as well as any exclusionary issues when it comes to connectivity, we have to connect our city in as many ways as possible. And the same for ads. I frankly don't think it's fair that a group of people get to decide what the whole neighborhood gets to do with their property. I've said before, my conservative side is when it comes to property rights. So I look forward to seeing your amendments, councilmember Flannigan. >> Renteria: Mayor? I support what's been said by my colleague Jimmy Flannigan. You know, this neighborhood is -- it's a neighborhood that's kind of reflecting a little bit of our neighborhood about 15 years ago. It's an aging -- I mean, the people are getting older there. And if we don't increase some kind of density where we can bring in the missing middle family back in, we're going to see the same problem in this area that we're seeing in mine where there's no students to attend the local schools and we're going to end up facing, you know, school closures in that area. So I wish that, you know, we could really have passed this secondary units because that's what we need.

[9:52:04 AM]

That's the only thing that saved me and staying in my neighborhood. So I hope that we can find a compromise on this. And I tell you, I want to tell the people out there, that this really works, having a secondary unit. You know, that helps with your second income and allow you to stay just a little bit longer in your neighborhood. >> Mayor Adler: Okay. Any further discussion on this? No? Yes? Mayor pro tem. >> Tovo: I think -- I have a variety of things to say, but I think I'll just speak about the last point that councilmember Renteria raised. You know, it's been a long time goal of many of us in the community to see the city work more closely with aid and one of those things is looking at how zoning can support or disincentivize families with children. So I think it's -- I think some of the product that's coming online and is being most frequently built is not helping with the issue of helping families with children stay in the central city. And we're not going to probably get there through some of the things we've been talking about, but holding developers accountable when they come forward with projects that are primarily efficiencies and single bedroom, when they're asking for zoning changes and they're changing -- their

intended product is efficiencies and single bedrooms, in areas where our schools are underenrolled, is not going to get us there. I mean, we had this conversation over plaza saltillo where we had a commitment from a developer to a family friendly housing, a certain amount. They backed off that and we had an opportunity to hold them accountable and had a very long and involved conversation about it. So I hope that we can

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refocus on what kind of housing product will help us keep families and children in the central city and how vast we as policymakers can encourage that. And some of it means saying no to housing products that aren't producing those in areas where we're really seeing declines of students. I think it dramatically changes -- has a lot of consequences when we're closing our neighborhood schools, which is the pattern we're in right now. Or at least a potential outcome. I don't want to say the pattern because I hope it won't be. >> Mayor Adler: So as I look at this, if I look at this, there's a plan that's coming to us that's going to concern what gets built right now and the conversation we're having right now speaks about future land use considerations, not what gets built now or changes for people that are there now. We're going to -- we pulled down the codenext process. We're going to have an evaluation of what's the best way to proceed. At some point we're going to have a much longer conversation or some council will have a much longer conversation about some of the issues that are coming up here, and quite frankly, I think that debate or discussion is most appropriately held then. So I would take a look at what you would post as well, but I'm not -- with respect to a future land use map or plan, I'm not sure that I think that this is the right vehicle for us to have that broader, longer conversation. Jimmy and then Pio. >> Renteria: I want to make a comment -- >> Mayor Adler: Hold on.

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Jimmy goes first and then back to you. >> Flannigan: I appreciate that, mayor. But I struggle with approving a thing called a future land use map, but saying we're not actually -- that we're somehow then also postponing that conversation. I don't know. I think it's still worth taking the things in front of us as the things that they are, but I can understand that there's different perspectives on that. And mayor pro tem, something that you said, which I thought was -- which was interesting, and I think there's a lot of agreement about wanting to ensure family friendly housing where there are underenrolled schools. Do you think it works the other way that we should find ways to build efficiencies into single bedrooms where we have overenrolled schools? >> Tovo: I would say generally I don't think we need to encourage the building of efficiencies and single bedrooms because that seems to be the product that's coming online in many of our newer projects. But just to get back to the families and children task force, which came up earlier, the report, and there was an equivalent -- I don't want to bore you with past history. >> Flannigan: You won't bore me. >> Tovo: One of the thanks came up in the report and a similar one that I also served on at the same time in aisd, both of those task forces came forward with the same recommendation to create an educational impact statement. And several of us in the community

worked with staff to develop that and the whole point was to try to -- to try to provide guidance to decision makers about how different zoning changes or code changes could be impacting -- impacting enrollment one way or the other. So I think it's -- I believe that it's something we should be mindful of if we're looking at zoning changes that are going to produce lots of -- lots of families with kids, for example. The intent -- I think there's been a lot of discussion around how we use that tool and I think where we have consensus is that

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we're using it -- we should always use it as an early warning system to the school district. Not necessarily that we should deny zoning changes that are going to produce lots of families with kids, but it's a useful tool for the district to have because they may need to start the process of changing boundaries or other kinds of changes that will help them accommodate the needs of those families with kids. Know that I would say -- I guess that's my answer to that. I think it's a -- I think we need to be cognizant of it and we need to more proactively encourage housing types that do support families with children in the central city. I don't necessarily support discouraging families with children in areas with overenrolled schools because I think we have other mechanisms for addressing those challenges. >> Flannigan: Yeah. And I think the language is very important, right. I'm not suggesting that we would discourage families from living in certain areas, but I think there's also -- there's a reality that the market builds efficiencies and bun bedrooms for a reason and it's like where should they go? Do it make more sense for them to go in areas of overenrolled schools. It's more an open question than how do I want to do that? But it made me think about where should those types of housing go because clearly there's a demand for them. >> Tovo: Yeah. And I >> Tovo: I guess the answer to your question is no. I don't think we should. Well, I guess your question was specifically should we encourage that product type in areas with overenrolled schools. And I don't have an answer to that. >> More of an open question. >> Tovo: We just need to be more thoughtful about how those two things play together and proactively encourage the family friendly housing in areas where we really need to keep the families. >> Renteria: Mayor, I kind of disagree with the mayor pro tem on saltillo. We do have two-bedroom houses

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there for families and we are addressing that. You know, when single-family houses there in east Austin rents for \$2,500 a month, \$2,000, \$3,000, those kind of homes with the appraised value that we're having, young professionals are staying in these homes. There are no more families. They can't afford those rent payments. They are moving out and the young professionals that came forward at \$1200 a month, single-bedroom house are teaming up together and renting these units. You can knock on the doors in my neighborhood and you will see a lot of that. You know, that's what's going on. You know, the single-family homes are still there but when you're having to pay taxes on a \$500,000 home, you know, the landlord is going to raise the rent to keep up with that and these families can't afford that kind of payment. You know, that's what I'm looking at when I see things, see how things are going in my

neighborhood. And we made a fatal mistake not investing into it. You know, we're one of the few lucky ones that we're able to build a secondary unit while the price of building wasn't that expensive as it is today. You know, those are the kinds of things we need to be looking at if we're really concerned and really want to keep families in there we should allow parents to let their children come back with their grandkids and be able to stay there in a secondary unit. And that's what I'm pushing for. >> Mayor? >> Mayor Adler: Yes. >> I want to add, I know we're going to have this conversation several times but our definition of family-friendly is not the same, I think.

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I think it was one of our planning commissioners that gave a very impassioned comment about when she moved to this country they lived in a very tiny apartment. I think it was a family of four. And I think during our codenext discussions there was a gentleman who was an Indian American who said where he came from that's the norm for eight people to live in a one-bedroom apartment. For some not only is it the norm but some families don't have a choice. So a one-bedroom or efficiency is family friend to a mother who wants to live next to work and has two kids and wants them to go to school. I want us to be very careful of how we define family friendly and whether we consider a one or two bedroom family friendly. I know people in my district have houses where there's three families living in them, and that's family friendly to them. >> Mayor Adler: Let's move on -- yes. Ms. Houston. >> Houston: Council member Flannigan, I appreciate you offering that up as a suggestion because I think that is something we have not thought about, whether or not placement of product types and where we should kind of encourage those kinds of placements. I know that I can only speak for my district, which is very diverse in housing types. And families, different makeup of family from blended to extended to generational living together. So I understand family-friendly housing may be different for different people but what I'm getting is a product type is one bedroom, one bath. And so my schools are declining in enrollment. All of my elementary schools are declining in enrollment. That is a concern to me because pretty soon those schools will be merged or closed and it looks like there are no children in the area almost. So that is a concern, and I appreciate you bringing it up

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and I'll think some more about that. >> Mayor Adler: Okay. Let's move on. Item no. 68. Ms. Houston, you pulled that one? >> Houston: Thank you, mayor. This is a request to my colleagues. This is a rezoning case item no. 68. One of the individuals, the primary individual is a midwife, a doula and has to be at work at 8:00 so she'll have to leave at 7:30. I'm asking for a time certain no earlier than 7:00 for the rest of the neighborhood to come, but would like the opportunity for her to speak before she has to leave to go to work at 7:30 in the evening. Does that -- >> Mayor Adler: I don't think there's any problem with having her be able to testify earlier, if she's here earlier and wants to speak. I'm not sure that we want to set than 7:00. >> As long as she has that opportunity and she'll sit until 7:30, but I would like for her somewhere between 2:00 and when she has to leave for work to at least give her testimony in the

record and the vote will not be taken until after the item is called up for a vote later in the evening, whenever that is. >> Mayor Adler: Whenever that is. It looks like an agenda that's relatively short. We might be able to get out a little early. >> You say that with optimism all the time. >> Mayor Adler: But we will do is same thing we have done before. If she's here earlier we'll give her a chance to speak earlier. What about item 69? >> Just for conversation with council member Casar, I had some questions about 69 and 70.

[10:06:14 AM]

Are these low-income tax credit -- is this a low-income tax credit property and is it 4% or 9%? >> Casar: The mou is still being finalized with the housing authority about exactly how this will work. And so I'm still working with nearby neighbors and the applicants about whether or not we would have this on this week's agenda or next week's agenda. So the answers to those questions would be extremely clear, because I think they could talk about what they're thinking about signing. But I think it would be better for people in the neighborhood and for the council for them to be able to say this is exactly what we're going to do. And that's still, I think, a little bit in flux. >> So if it looks like it's going to be postponed then I can ask all my other questions later. If not, I'll go ahead and ask them now. I don't know how much flux you are talking about? >> How much what? >> Flux. >> I think there's a good chance that we run it next week and then what I was just discussing with the applicant was first reading in August most likely next week, and then second and third is September. >> I'll keep going with my questions. >> Please go ahead. And I imagine some of those may just be for the staff. For as far as the financing, for the affordability component, that's probably something that we would want hawka here for and I think what they would say is we're still writing those requirements. >> Staff, do we know how many total units we're talking? >> 258. >> And the mix of units at the various levels of median family income? >> I haven't been involved in that portion of the session. I have just been working on the zoning case, not the tax credit portion of it. >> So we need to wait on housing authority for that information? >> Yeah. The discussion right now is 85%

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of the units at 60% mfi. But, again, to the earlier point I think that's where this is -- where the point of discussion is right now but I don't think the mou has been signed. >> Okay. And is this a mixed use project, mixed income? Or is this purely subsidized? >> My understanding is where they are right now is it would be mixed income in that it could have -- I mean, it would have at least some portion not be income restricted. But that, again, the details about how much is below 60% and how much is at 60% I think is still a part of that conversation that's happening. >> And I think I need to know more about that as soon as they have that information. Because, you know, I think sometimes we are on the same page about the concentration of poverty, and that's just one of the times that I'm concerned about the concentration of poverty. Looking at the census data in that area and the crime statistics and I know we're trying to do something different there to turn that community around. But I would be interested

in hearing what you feel about concentrating 254 units, about 85 units below 50% median family income in that area that is so highly concentrated with poverty now. And crime statistics are pretty high too. >> So I think there's a very -- part of why I'm being circumspect is we're trying to have the conversation and work through it. But I think there's a legitimate and difficult conversation to be had around this is definitely one of the lower opportunity ranked areas in the city but it has high levels of transit access. Aisd's bond is building the Ta

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brown elementary school for this area. I think it's a great neighborhood. I love this part of my district and this part of the city. But the preliminary maps on the gentrification study being done by U.T. Show this as one of the places that is most likely to be one of the next ones to turn. Because 183 is the barrier that has been keeping higher prices from coming over. But we know that that is going to come. So on the one hand I certainly want hawk to invest its limited staff and resources, especially in higher opportunity areas, but at the same time I'm sort of haunted by, you know, conversations I have had with various of you. Council member Renteria has said I wish 10 or 15 or 20 years ago I wish he had made certain decisions when we had the opportunity. And so I think that a lot of those apartments that currently have low-income families in them very well could turn and flip and no longer be accessible to low-income families. And so I think planning for impending gentrification while at the same time not wanting to concentrate low-income families in an already low-income area is this hard thing that I don't know exactly what the answer is to. And so what we're going to try to work towards a figuring out if there is a path or a way for us to bring -- we just purchased the land just north of this property for a park. This council just invested a bunch of money for groundbreaking there very soon. And so we're working with neighbors and hawk to think about before this mou is signed is there an opportunity and a moment here for us to address all of those different things to continue to make it a better place for folks to live while planning for that gentrification. I don't have a solid answer yet but we're working hard on it. We just had like an hour and a half, two hour meeting about it yesterday. Because central health owns some

[10:12:16 AM]

property next door, as does the city. So it just seems like this opportunity to see if we can bring services and improve park space and plan for gentrification in a way that isn't just putting low-income housing where low-income people exist. I don't have an easy answer. I have been thinking about it a lot. >> I was hoping you were having those conversations and thinking about that. Because we would not want to support -- because everything around that property pretty much is low-income housing at this moment. And so just let us know where you are. >> I woke up this morning thinking about it. Glad you asked about it. >> Thanks. >> Of course. And so much of the housing -- some of it is income restricted in the area but a lot of it is not. And so that's just what we're grappling with. >> We've got those motel spaces that are -- >> Yep. And we have one of those motels on our agenda that is redeveloping away from being



that. Yeah. It's a struggle. >> And the neighborhood is participating in the conversation? >> Absolutely. >> Thanks. >> Mayor Adler: All right. I think those are all the items that were pulled. We have not on the agenda this week but on the agenda next week, I guess the 30th. The chapter 380 thing. I'm now working my way through those amendments. I think staff has posted into backup the amendments that came for the same reason Alison talked about earlier. If anybody has amendments to that and can daylight those while I'm going through that I would appreciate to be able to see them to be able to consider them. And I'll probably put a message anybody else have anything else that's pulled? >> It wasn't a pull. I wanted to make a comment while the mayor pro tem was here. But I bet her staff is watching. I didn't pull item no. 76 because I have no concerns with

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it. I'll really supportive of it. But item 76 is about using bond funding to acquire mobile home communities and apartments that have lower income folks in them, especially those vulnerable to gentrification. I think that's a really good thing. I'm going to work on some language that wouldn't change the resolution, really, but that would indicate that whatever we put together here has to work in conjunction with a bigger program. Because if the affordable housing bond passes we're going to be talking about around \$100 million being dedicated to this new kind of work. And I don't want, as the staff certainly begins to plan how to do that work, I don't want this work to be done not looking at that work, because it would be using the same pot of funds. I was actually intending on in September working with the staff and council to put something formal together to really ask the staff, just so it's on paper. I'm sure the staff would be working on it but something on paper to say please start thinking about how this land acquisition program would work. And so I want to come up with potentially with some language for item 76 that references that, just so it all stays tied together so we don't create one program over here and one program over here when really they would have to work together since it's one pot of money. >> Mayor Adler: That's a really good point. Jimmy. >> My only questions about 76 was how it fits in conjunction with the other priorities the housing trust fund has and making sure we're being clear how things rank and what percentages of things we want to see as opposed to, I think, sometimes what I see us do is just tell the staff to do one more thing but we never really tell them which is the more important thing or in what ratio. Glad to hear that's coming. >> Mayor. >> Tovo: Sorry. I can't respond because I don't know what the question is.

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I had to step out. I saw housing trust fund on the screen and thought that's my resolution. I apologize. I can catch up on it but if there's a quick question. >> Mayor Adler: Why don't you let the mayor pro tem know. >> I didn't pull the item because I'm very supportive and don't have concerns at all with the item itself but I did want to write a sentence just as a holding place to make sure that we make clear that this of course would have to be working together with and looking at and not be siloed from the big program that staff would have to put together for the potentially \$100 million land acquisition program. And I

was actually planning in September to likely work with the staff and the council to bring forward a resolution just to have it on paper to ask the staff to start making public and processing how they would -- these same sorts of questions around the land acquisition program. And so I do think that this is good and I wouldn't change anything except potentially have some reference to -- and we know that staff likely has to put together this bigger plan and to be thinking about this in context with or relative to that. >> Tovo: So some of my cosponsors requested, mayor, I think you were one. Hopefully you didn't just say this while I was out of the room. That you requested the addition of the housing trust fund -- I'm sorry. That you requested I add in there general obligation bonds as well, and that was my assumption of what the intent was to have that conversation. And so that's why general obligation bonds is part of this. Specifically that housing be the land acquisition piece. >> I think what I'm saying is since we're going to have a whole new big program if these bonds pass to do land acquisition, which we have never been able to do to scale with this much money. I want to make sure that as the staff develops this they are doing it in context of all the other types of land acquisition

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they'll be doing just so they're not creating a prioritization and ranking and a separate thing for the land acquisition dollars. >> Tovo: Are you talking about the land acquisition for housing? As I said, I think that is the intent with the inclusion of the plan to use the general obligation bonds to acquire and preserve multi-family development. >> Mayor Adler: I think we're all in agreement. We're trying to make sure that we don't do any of the spending on an ad hoc basis. We need an overall plan that tells us how in totality the money is going to be spent. What's the strategy and what's the plan. [Multiple voices] >> I think we agree, like you said. I think the complication here is what I'm saying is some of the land acquisition dollars may acquire vacant land for development of affordable housing. Does that make sense? >> Tovo: Yes. >> I want the acquisition of land with improvements to be thought of in that broader context and plan to bring a resolution in September just so we have something that says, hey, staff. There's a potential that we might have a new \$100 million program here. It's really important for it to include purchasing mobile home parks and apartment complexes, as is written in this resolution. Also make sure that you're thinking about all the other stuff we could do with that money and help the community and us understand how you're going to do that. >> Tovo: Okay. >> Does that make sense? >> Tovo: Yes. >> I don't think it in any way conflicts. >> Tovo: I don't think it conflicts at all. I was looking at the posting language to see if that can be a component of this. I don't believe it can. Okay. That makes sense. One thing I do want to point out is that the date in here was really timed to -- was timed to the resolution with regard to the affordable housing trust fund. My intent was to have some guidelines in place so that as soon as we pass the budget our staff have provided us with some

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recommendations and we are poised to acquire properties if and when they become available. With the inclusion of the bond, the timing is a bit off because it would actually -- we would be asking our staff to

come back before the voters have an opportunity to weigh in on the bonds. So I haven't decided exactly how to negotiate that. But we'll figure something out by Thursday. Maybe have two different design guidelines or two different report back dates. What I don't want to do is have affordable housing trust money sitting in the bank if there are some good opportunities to spend it on properties that wouldn't be available with a longer time-frame. >> Mayor Adler: Pio. >> Mayor, I don't have anything to do. >> Mayor Adler: Next item. >> I want to say I'm going to pull 16 and 30 and Thursday. >> Mayor Adler: Pull them off the consent agenda? >> Yes. And on 16 I just want to have a discussion on it because I want to see how that money is going to be used, that grant that we got because of the flooding and displacement of families. Whether it's reimbursement or money we're going to receive. And the other item on 30 is just a discussion on why we have an increase on purchasing that software. It seems like there's an added increase from the \$12 million. It went up to \$18 million. I just wanted to know what was the reason for that. >> Mayor Adler: Okay. So, manager, maybe the staff could respond to those two questions in memo so these items can be able to stay on consent.

[10:22:23 AM]

Delia. >> 39 was the labor issue with Freeman ab. I'm trying to remember right now what the discussion was at my staff meeting yesterday. But I believe this has not been postponed to the 30th, right? >> Mayor Adler: I think the staff is asking for us to vote no so that they can reissue the rfp and adopt a broader policy. >> Mayor, we just got a legal memo on it so I think it's probably an executive session item. We just got a legal memo in our inbox this morning. >> Mayor Adler: We'll talk about that in executive session. >> Mayor, I made a mistake and I'm not going to pull 16 and 30. >> Mayor Adler: I'm sorry. What? >> I made a mistake. I'm not going to pull 16 and 30. >> Mayor Adler: Got it. Ms. Houston. >> I was going to say he was pulling 30 because that would impact his retirement from IBM. [Laughter] >> Mayor Adler: All right. I think those are then all the pulled items. Good job, guys. We are now going to go into closed session to take up five sessions pursuant to 551.072 and 551.071. We're going to discuss legal items related to E 4, which is the brac track. Pursuant to 551.071 the government code we're going to discuss E 2, taxation and annexation along lake Austin, issues related to E 3, issues related to recovering Austin water's cost for treating industrial wastewater. E 5, negotiations with ems. And E 6 the November 2018 election. E 1 has been withdrawn. Without objection here at 10:24 we will now go into closed session. We'll only be coming back for

[10:24:24 AM]

the purpose of closing the meeting, so no council will be coming back. That's it. Let's go. [Executive session]

[2:08:15 PM]

Mayor Adler: So we are out of closed session it is 2:08 p.m. In closed session we discussed real estate matters related to item E4. Legal matters related to items: E2, 3, 4, 5 and 6. The meeting is now adjourned.